

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DOMINIC OLIVEIRA,

Plaintiff,

v.

NEW PRIME, INC.,

Defendant.

Case No. 1:15-cv-10603-PBS

**JOINT MOTION TO EXTEND PLAINTIFF'S TIME TO RESPOND TO DEFENDANT'S
MOTION TO DENY CERTIFICATION OF CLASS / COLLECTIVE ACTION**

Plaintiff Dominic Oliveira and Defendant New Prime, Inc., by and through their attorneys, jointly move the Court to extend Plaintiff's time to respond to Defendant's time to respond to Defendant's Motion to Deny Certification of Class / Collective Action (Dkt. #118). This request is made in good faith and not in an effort to delay or deter these proceedings, as set forth below:

1. Defendant filed its Motion to Deny Certification of Class / Collective Action on January 23, 2018.
2. On January 26, 2018, counsel for Plaintiff, in accordance with their obligations under Rule 7.1, consulted with Defendant to request a short extension of time to prepare a response to Defendant's Motion. The parties ultimately agreed to request from the Court an extension from the original due date, February 6, 2018, to the new due date, **February 20, 2018**.
3. The parties further agreed to request a corresponding extension of the deadline for Defendant's reply in support of its motion, to **March 13, 2018**.

WHEREFORE, the parties respectfully request that this Court grant an extension up to and including February 20, 2018 for Plaintiff to file a response to Defendant's Motion to Deny Certification of Class / Collective Action, and further grant an extension up to and including March 13, 2018 for Defendant to file a reply in support of that motion.

Respectfully Submitted

DOMINIC OLIVEIRA

By his attorneys,

By: /s/ Andrew Schmidt
ANDREW SCHMIDT (*admitted pro hac*)
Andrew Schmidt Law, PLLC
97 India Street
Portland, ME 04101
207-619-0320
andy@maineworkerjustice.com

Hillary Schwab, BBO #666029
Brant Casavant, BBO #672614
FAIR WORK, P.C.
192 South Street, Suite 450
Boston, MA 02111
(617) 607-3260
www.fairworklaw.com
Email: hillary@fairworklaw.com,
brant@fairworklaw.com

AND

NEW PRIME, INC.

By its attorneys,

By: /s/ Amanda C. Machin
Jason C. Schwartz*
(VA #43635; DC #465837; MD
#201006080003)
jschwartz@gibsondunn.com
Joshua S. Lipshutz (BBO #675305)
jlipshutz@gibsondunn.com

Amanda C. Machin*
(DC #1008932; VA #82364)
amachin@gibsondunn.com
Stephanie E. Pearl (BBO #693941)
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036 (202) 955-8500

Theodore J. Boutrous, Jr.*
(CA #132099; DC #420440; NY #518550)
tboutrous@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
(213) 229-7000

*Admitted pro hac vice

Dated: February 1, 2018

CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2018, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record

/s/ Andrew Schmidt
Andrew Schmidt, Esq.